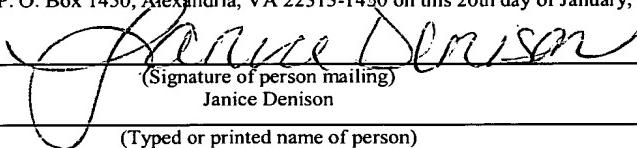




Appl. No. 09/684,725
Response dated January 20, 2004
Reply to Office Action of September 17, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of January, 2004.

By _____


(Signature of person mailing)

Janice Denison

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/684,725
In Re Application of Lee Harland
Filed: October 6, 2000
Group Art Unit: 1646
Examiner: Li, Ruixiang
Docket No.: PCS10361ADAM
Customer No.: 28523

Box AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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AMENDMENT

In response to the Office Action mailed September 17, 2003, Applicant respectfully submits the following Amendment and Remarks/Arguments in conjunction with a Request for Extension of Time. The period for response to the Office Action is extended for one month, to and including January 20, 2004, insofar as January 17, 2004 was a Saturday, January 18, 2004 was a Sunday, and January 19, 2004 was Martin Luther King Day. The Commissioner is hereby authorized to charge any additional fees required, or to credit any overpayment, to Deposit Account No. 16-1445.

Also enclosed is a statement by the undersigned attorney of record attesting to the satisfaction of all deposit conditions, under 37 C.F.R. §§ 1.801-1.809, for the deposit NCIMB 41066 under the provisions of the Budapest Treaty. Insofar as the Examiner's rejection of claims 23 and 32, on the basis that all conditions of 37 C.F.R. §§ 1.801-1.809 were not met, presents a new ground for rejection not necessitated by Applicant's amendment of the claims or submission of an information disclosure statement (see M.P.E.P § 706.07(a)), Applicant requests reconsideration and withdrawal of the finality of rejection in the Office Action of September 17, 2003, and entry of this amendment, as further discussed in the Remarks/Arguments section.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.